



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Regarding: Charles O. Townley
Serial No. 10/758,455
Filing Date 01/15/2004
Docket No. THUMB-604DIV
For MODULAR BASAL THUMB JOINT IMPLANT

Information Disclosure Statement

Attention: Group Art Unit 3738

Commissioner for Patents
Post Office Box No. 1450
Alexandria, VA 22313-1450

I certify that this correspondence is deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Office address above on 3/2/2005:

Christopher John Rudy: Christopher John Rudy 3/2/2005.

Please consider this information in the extant examination.

Submitted herewith are a PTO/SB/08B, which cites the listed non-patent art, and a copy of the art, as follows:

Ascension Orthopedics, Ascension Implants, CMC. This advertises a hemi device, which may be a basal thumb implant. Note that a company founder was Dr. Jerome Klawitter.

The undersigned hereby certifies that no item of information contained in the present Information Disclosure Statement, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to filing of the present statement.

It is believed that no item of information alone anticipates, and no item of information alone or combined with any other item of information of record renders obvious, the claimed invention.

The citation of any reference here or at any other time is not to be construed as an admission that the same is necessarily prior art under 35 USC 102 or 103. Nor is any citation to be construed as an admission that the same is necessarily pertinent art to the present claimed invention under Sec. 103, nor, unless owned by the assignee hereof, enabling under 35 USC 112.

Please indicate consideration of the art on the form, and return copies of the inscribed form with the next Office action on the merits. A Notice of Allowance is solicited.

Respectfully,

Dated: March 2, 2005 A.D.

Encls: As noted above

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Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.